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Attorneys for Triangle Plaza I, LLC

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

MODELL'S SPORTING GOODS, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 20-14179 (VFP)

Jointly Administered

**LIMITED OBJECTION OF TRIANGLE PLAZA I, LLC TO DEBTORS'
REQUEST FOR FURTHER SUSPENSION OF CHAPTER 11 CASES**

Landlord-creditor Triangle Plaza I, LLC ("Triangle Plaza"), by and through its undersigned counsel, hereby files this limited objection to Debtors' Notice of Intent to seek a further suspension of these chapter 11 cases through and including May 31, 2020, without prejudice to the Debtors' right to seek additional time [Docket No. 234] (the "Extension Notice"), and in support hereof, respectfully states as follows:

¹ The Debtors in these chapter 11 cases and the last four digits of each Debtor's federal tax identification number, as applicable, are as follows: Modell's Sporting Goods, Inc. (9418), Modell's II, Inc. (9422), Modell's NY II, Inc. (9434), Modell's NJ II, Inc. (9438), Modell's PA II, Inc. (9426), Modell's Maryland II, Inc. (9437), Modell's VA II, Inc. (9428), Modell's DE II, Inc. (9423), Modell's DC II, Inc. (9417), Modell's CT II, Inc. (7556), MSG Licensing, Inc. (8971), Modell's NH, Inc. (4219), Modell's Massachusetts, Inc. (6965) and Modell's Online, Inc. (2893). The Debtors' corporate headquarters is located at 498 Seventh Avenue, 20th Floor, New York, New York 10018.

1. On March 27, 2020, this Court entered the *Order Temporarily Suspending the Debtors' Chapter 11 Case Pursuant to 11 U.S.C. §§ 105 and 305* [Docket No. 166] suspending these chapter 11 cases through and including April 30, 2020, without prejudice to the Debtors' right to seek a further extension of time.

2. On April 20, 2020, the Debtors submitted the Extension Notice stating their intent to seek a further suspension of these chapter 11 cases.

3. Triangle Plaza submits this limited objection to any further suspension of Debtors' rent obligations exceeding the maximum 60-day timeframe for such a suspension under 11 U.S.C. § 365(d)(3). Section 365(d)(3) of the Bankruptcy Code unambiguously states that "the time for performance shall not be extended beyond such 60-day period." Moreover, granting the requested further extension would be detrimental to Triangle Plaza and other landlords during these challenging time by relieving Debtors of their lease obligations.

4. Triangle Plaza reserves the right to supplement this Objection and make such other and further objections to the Extension Notice as may be necessary.

5. Triangle Plaza joins in the objection of any other party to the Extension Notice to the extent not inconsistent with this Objection.

6. To the extent that the Debtors are requesting that the Court excuse the Debtors from having to timely perform their real property lease obligations arising on or after May 11, 2020, such request should be denied.

Dated: April 24, 2020
New York, New York

Respectfully submitted,

/s/ Kenneth S. Leonetti

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